



Customer No. 26874  
PATENT TRADEMARK OFFICE  
Atty. Docket: END5096.0515521

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Andrew T. Beckman et al. : Paper No:  
Serial No. 10/815,004 : Group Art Unit: 3736  
Filed: March 31, 2004 : Examiner: Unknown  
For: MARKER DEVICE AND METHOD OF DEPLOYING A CAVITY MARKER  
USING A SURGICAL BIOPSY DEVICE

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Confirmation No. 1279

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application, mailed on September 14, 2004, Applicants submit the following:

1. Declaration and Power of Attorney;
2. Check - \$130.00 for Declaration surcharge;
3. Return portion of Formalities Letter; and
4. Replacement Drawings.

**CERTIFICATE OF MAILING**

I hereby certify that a copy of this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

November 11, 2004.

*Elizabeth A. Middleton*  
Elizabeth A. Middleton

Respectfully submitted,

Andrew T. Beckman et al.

*David E. Franklin*

David E. Franklin, Registration No. 39,194  
FROST BROWN TODD LLC  
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IFW ✓



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/815,004	03/31/2004	Andrew T. Beckman	END5096-0515521

FROST BROWN TODD LLC  
 2200 PNC Center  
 201 East Fifth Street  
 Cincinnati, OH 45202

CONFIRMATION NO. 1279

## FORMALITIES LETTER



\*OC000000013795427\*

Date Mailed: 09/14/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 3, 5-7.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130 Late oath or declaration Surcharge.

11/16/2004 WASFAW1 00000084 10815004

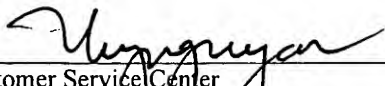
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Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE